

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

JESSICA MARIE TROTTIER,
a/k/a JESSICA MARIE LATTERGRASS;
DOMINICK JON ROSS;
BRENDAN TYLER MOORE;
CESAR AMBROSIO LOPEZ;
ARTURO GUZMAN;
MATTHEW ZENON WOOD;
STEVEN CLIFFORD FRANK ARIAS JR.;
MICHAEL WAYNE GOURNEAU;
DAVID JOSEPH KNUTH;
BRETT TIMOTHY HOIBY; and
JEREMY WILLIAM HOOVER

THIRD
SUPERSEDING
INDICTMENT

Case No. 3:22-cr-00184

Violations: 21 U.S.C. §§ 841(a)(1),
841(b)(1)(A), 841(b)(1)(B),
841(b)(1)(C), 846, 848(a), 848(b),
848(b)(2)(A), 848(c), 848(s), and 853;
18 U.S.C. §§ 373, 844(c)(1), 844(h),
922(g)(1), 924(a)(2), 924(a)(8),
924(c)(1)(A), 924(d)(1), 924(h),
933(a)(1), 933(a)(2), 933(a)(3),
981(a)(1)(C), 982(a)(1), 1512(b)(1),
1512(b)(3), 1512(i), 1512(k), 1956(h),
and 2; 26 U.S.C. §§ 5861(h), 5861(i),
and 5872; and 28 U.S.C. § 2461(c)

COUNT ONE

Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances

The Grand Jury Charges:

From in or before June 2021 to the present, in the Districts of North Dakota,
Minnesota, Montana, Idaho, Utah, Nevada, California, and elsewhere,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS;
DOMINICK JON ROSS;
BRENDAN TYLER MOORE;
CESAR AMBROSIO LOPEZ;
ARTURO GUZMAN;
MATTHEW ZENON WOOD;
STEVEN CLIFFORD FRANK ARIAS JR.;
MICHAEL WAYNE GOURNEAU;
DAVID JOSEPH KNUTH;
BRETT TIMOTHY HOIBY; and

JEREMY WILLIAM HOOVER,

did knowingly and intentionally combine, conspire, confederate, and agree together and with others, both known and unknown to the grand jury, to possess with intent to distribute and distribute controlled substances, namely, methamphetamine, a Schedule II controlled substance; fentanyl,¹ a Schedule II controlled substance; and marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(B), 841(b)(1)(C), and Title 18, United States Code, Section 2.

Drug Quantity

The grand jury finds the amount involved in the conspiracy attributable to each of these defendants as a result of each defendant's own conduct, and of the conduct of other conspirators reasonably foreseeable to the defendants, is 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(A).

With respect to JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and BRENDAN TYLER MOORE, the amount of fentanyl involved in the conspiracy attributable to each of these defendants as a result of that defendant's own conduct, and of the conduct of other conspirators reasonably foreseeable to that defendant, is 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B).

¹ The chemical structure of fentanyl is N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide. 21 U.S.C. § 841(b)(1)(A)(vi).

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was a part of said conspiracy that the defendants and others, both known and unknown to the grand jury, would and did possess with intent to distribute and did distribute mixtures and substances containing detectable amounts of methamphetamine, fentanyl, and marijuana within the states of North Dakota, Minnesota, Montana, Idaho, Utah, Nevada, California, and elsewhere, including, but not limited to the following:

- (a) On or before July 22, 2021, DOMINICK JON ROSS and BRENDAN TYLER MOORE, individually, and by aiding and abetting, possessed with intent to distribute approximately 10 pounds of methamphetamine in and near West Fargo, North Dakota;
- (b) On or before December 12, 2021, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and BRENDAN TYLER MOORE, individually, and by aiding and abetting, possessed with intent to distribute approximately 3 pounds of methamphetamine and 500 pills containing fentanyl in and near Fargo, North Dakota;
- (c) On or about January 12, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and BRENDAN TYLER MOORE, individually, and by aiding and abetting, possessed with intent to distribute approximately 1.5 pounds of methamphetamine in Fargo, North Dakota;
- (d) On or about January 25, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS and HUGO ARMANDO YANEZ-RIVERA, individually, and by aiding and abetting, possessed with intent to distribute approximately 9 pounds of methamphetamine in and near Hardin, Montana;
- (e) On or about February 9, 2022, DANA MICHAEL THOMAS possessed with intent to distribute approximately 1 pound of methamphetamine in and near Fargo, North Dakota, and Moorhead, Minnesota;

- (f) On or about February 24, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, possessed with intent to distribute approximately 17 grams of methamphetamine in Fargo, North Dakota;
- (g) On or about February 24, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, unindicted co-conspirator J.A., and unindicted co-conspirator S.M., individually, and by aiding and abetting, possessed with intent to distribute approximately 75 grams of methamphetamine in Fargo, North Dakota;
- (h) On or before March 19, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, distributed approximately 89 grams of methamphetamine in and near Fargo, North Dakota;
- (i) On or about June 13, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and MICHAEL WAYNE GOURNEAU, individually, and by aiding and abetting, possessed with intent to distribute approximately 39 grams of methamphetamine and 14 pills containing fentanyl in Fargo, North Dakota;
- (j) On or about July 7, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS; and DAVID JOSEPH KNUTH, individually, and by aiding and abetting, possessed with intent to distribute approximately 14 grams of methamphetamine in and near Jamestown, North Dakota;
- (k) On or about August 6, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, JUSTIN RUSSELL KEPLIN, a/k/a UG; and JEREMY WILLIAM HOOVER individually, and by aiding and abetting, possessed with intent to distribute approximately 114 grams of methamphetamine in and near Devils Lake, North Dakota;
- (l) On or about August 21, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and CESAR AMBROSIO LOPEZ, individually, and by aiding and abetting, possessed with intent to distribute approximately 4 pounds of methamphetamine in and near Bismarck, North Dakota;
- (m) On or about September 1, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and HUGO ARMANDO YANEZ-RIVERA, individually, and by aiding and abetting, possessed with intent to distribute approximately 10 pounds of methamphetamine in and near Bismarck, North Dakota;

- (n) On or about September 1, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS; CARLOS ADRIAN BATISTA-RODRIGUEZ; PRUENDA RAMIREZ MACIAS; and unindicted co-conspirator J.R., individually, and by aiding and abetting, possessed with intent to distribute approximately 4 pounds of methamphetamine, 3,000 pills containing fentanyl, and 9 pounds of marijuana in and near Williston, North Dakota;
- (o) On or about September 4, 2022, ARTURO GUZMAN possessed with intent to distribute approximately 10 grams of methamphetamine in and near Idaho Falls, Idaho;

2. It was further a part of said conspiracy that the defendants and others would and did attempt to conceal their activities;

3. It was further a part of said conspiracy that the defendants and others would and did use telecommunication facilities, including cellular telephones, to facilitate the distribution of methamphetamine, fentanyl, and marijuana;

4. It was further a part of said conspiracy that the defendants and others would and did use United States currency in their drug transactions;

5. It was further a part of said conspiracy that the defendants and others would and did possess, buy, sell, obtain, and trade firearms and ammunition to, for, and on behalf of other conspirators, both known and unknown to the grand jury, to protect their supply of controlled substances, to facilitate drug transactions, and to exchange as payment for controlled substances;

6. It was further a part of said conspiracy that one or more conspirators threatened harm, threatened violence, and used intimidation to protect their criminal activities in North Dakota, including, but not limited to the following:

On or about August 5-9, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS; CARLOS ADRIAN BATISTA-RODRIGUEZ; ARTURO GUZMAN; PRUENDA RAMIREZ MACIAS; unindicted co-conspirator J.S.; and unindicted co-conspirator D.R., conspired to murder DANA MICHAEL THOMAS in Fargo and Grand Forks, North Dakota;

7. It was further a part of said conspiracy that the defendants and others would and did use, carry, and possess firearms and ammunition during, in relation to, and in furtherance of the conspiracy;

8. It was further a part of said conspiracy that one or more conspirators received money wire transfers that were proceeds of methamphetamine, fentanyl, and marijuana sales;

9. It was further a part of said conspiracy that one or more conspirators sent money wire transfers that were payment for and proceeds of methamphetamine, fentanyl, and marijuana sales;

10. It was further a part of said conspiracy that one or more conspirators traveled between the states of North Dakota, Montana, Idaho, Utah, Nevada, and California to obtain, transport, and distribute methamphetamine, fentanyl, and marijuana;

11. It was further a part of said conspiracy that one or more conspirators collected money from others to purchase methamphetamine, fentanyl, and marijuana;

12. On or about December 12, 2021, BRENDAN TYLER MOORE possessed a firearm in furtherance of the conspiracy in Fargo, North Dakota;

13. On or about January 12, 2022, BRENDAN TYLER MOORE possessed a firearm in furtherance of the conspiracy in Fargo, North Dakota;

14. On or about February 24, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, possessed a firearm in furtherance of the conspiracy in Fargo, North Dakota;

15. On or about July 7, 2022, DAVID JOSEPH KNUTH possessed a firearm in furtherance of the conspiracy in and near Jamestown, North Dakota;

16. On or before July 23, 2022, CARLOS ADRIAN BATISTA-RODRIGUEZ; PRUENDA RAMIREZ MACIAS; VICTOR MANUEL PARTIDA-OJEDA, a/k/a MANUEL GUTTIERREZ-MORALES; and JUSTIN RUSSELL KEPLIN, a/k/a UG, possessed firearms in furtherance of the conspiracy in and near Belcourt, North Dakota;

17. On or about August 21, 2022, CESAR AMBROSIO LOPEZ possessed a firearm in furtherance of the conspiracy in and near Bismarck, North Dakota;

18. On or about September 4, 2022, ARTURO GUZMAN possessed firearms in furtherance of the conspiracy in and near Idaho Falls, Idaho;

19. On or about September 21, 2022, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, possessed firearms in furtherance of the conspiracy in and near Bismarck, North Dakota;

20. On or about September 21, 2022, BRETT TIMOTHY HOIBY possessed firearms in furtherance of the conspiracy in and near Bismarck, North Dakota;

21. On or about September 21, 2022, TONY LOUIS ENNO, a/k/a DANTE, possessed firearms in furtherance of the conspiracy in and near Belcourt, North Dakota;

22. JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, was an organizer, leader, manager, and supervisor in this conspiracy;

In violation of Title 21, United States Code, Section 846, and Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT TWO

Continuing Criminal Enterprise

The Grand Jury Further Charges:

From in or before January 2022 to the present, in the District of North Dakota and elsewhere,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, did knowingly and intentionally engage in a Continuing Criminal Enterprise in that she violated Title 21, United States Code, Sections 841(a)(1) and 846, including, but not limited to, the violations alleged in Count One of this Third Superseding Indictment, which is incorporated herein by reference. The above-described violations were, and are, part of a continuing series of violations.

These continuing series of violations were undertaken by JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, in concert with at least five other persons with respect to whom JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, occupied a position of organizer, supervisor, and manager including, but not limited to: (1) DOMINICK JON ROSS; (2) HUGO ARMANDO YANEZ-RIVERA; (3) CESAR AMBROSIO LOPEZ; (4) DANA MICHAEL THOMAS; (5) MATTHEW ZENON WOOD; (6) STEVEN CLIFFORD FRANK ARIAS JR.; (7) MICHAEL WAYNE GOURNEAU; (8) unindicted co-conspirator S.P.; (9) unindicted co-conspirator J.A.; (10) unindicted co-conspirator J.M; (11) unindicted co-conspirator F.W.; (12) unindicted co-conspirator D.R.; (13) unindicted co-conspirator H.T.; (14) unknown unindicted co-conspirator #1; (15) JEREMY WILLIAM HOOVER; (16) unindicted co-conspirator S.E.;

(17) unindicted co-conspirator A.H.; (18) unindicted co-conspirator S.N.; (19) CARLOS ADRIAN BATISTA-RODRIGUEZ; and (20) BRETT TIMOTHY HOIBY.

From this continuing series of violations, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, obtained substantial income;

The United States specifically alleges that JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, was a principal administrator, organizer, and leader of the enterprise and the enterprise involved at least 10 kilograms of a mixture and substance containing methamphetamine, which is 200 times the drug quantity described in 21 U.S.C. § 841(b)(1)(B);

In violation of Title 21, United States Code, Sections 848(a), 848(b), 848(b)(2)(A), 848(c), and 848(s).

COUNT THREE

Money Laundering Conspiracy

The Grand Jury Further Charges:

From in or about June 2021 to the present, in the Districts of North Dakota,
Minnesota, and elsewhere,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS;
CESAR AMBROSIO LOPEZ;
MATTHEW ZENON WOOD; and
STEVEN CLIFFORD FRANK ARIAS JR.

did knowingly combine, conspire, and agree with one or more persons, both known and unknown to the grand jury, to commit offenses against the United States, in violation of Title 18, United States Code, Section 1956(h), specifically, to knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, which involved the proceeds of a specified unlawful activity, that is, knowingly and intentionally distributing controlled substances: (a) with the intent to promote the carrying on of the specified unlawful activity; and (b) knowing that the transaction is designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i).

Manner and Means

The manner and means used to accomplish the objectives of the conspiracy included, among others, the following:

1. During the course of this conspiracy, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS; STEVEN CLIFFORD FRANK ARIAS JR.; CESAR AMBROSIO LOPEZ; HUGO YANEZ-RIVERA; MATTHEW ZENON WOOD; and other co-conspirators, both known and unknown to the grand jury, acquired methamphetamine and fentanyl, both Schedule II controlled substances, and marijuana, a Schedule I controlled substance, outside the District of North Dakota for distribution. The controlled substances were thereafter transported through, and distributed in, the District of North Dakota and elsewhere during the timeframe of the conspiracy;

2. Members of the controlled substance distribution conspiracy organization would sell methamphetamine, fentanyl, and marijuana, and the currency would be collected and transferred from one person to another to continue the ongoing illegal activity; and

3. During the course of this conspiracy, persons both known and unknown to the grand jury utilized money services, such as Walmart-to-Walmart (RIA Financial), to wire and transfer proceeds of and payments for illegal drug sales from North Dakota and elsewhere to California and elsewhere with the intent to disguise and conceal the nature, location, source, ownership, and control of the proceeds of the drug trafficking activity and to promote and continue the distribution activity;

In violation of Title 18, United States Code, Sections 1956(h) and 2.

COUNT FOUR

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or before July 22, 2021, in the District of North Dakota,

DOMINICK JON ROSS and
BRENDAN TYLER MOORE,

individually, and by aiding and abetting, knowingly and intentionally possessed with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

COUNT FIVE

Possession with Intent to Distribute Controlled Substances

The Grand Jury Further Charges:

On or before December 12, 2021, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,
and BRENDAN TYLER MOORE,

individually, and by aiding and abetting, knowingly and intentionally possessed with intent
to distribute 500 grams or more of a mixture and substance containing a detectable amount
of methamphetamine, a Schedule II controlled substance, and 40 grams or more of a mixture
and substance containing a detectable amount of fentanyl, a Schedule II controlled
substance;

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and
841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT SIX

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

The Grand Jury Further Charges:

On or about December 12, 2021, in the District of North Dakota,

BRENDAN TYLER MOORE

did knowingly possess a firearm, specifically:

• One Kahr Arms, Model CW40, .40 caliber pistol, bearing Serial Number FE6862, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance, as set forth in Count One of this Third Superseding Indictment; and Possession with Intent to Distribute Controlled Substances, as set forth in Count Five of this Third Superseding Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SEVEN

Possession of a Firearm by a Convicted Felon

The Grand Jury Further Charges:

On or before December 12, 2021, in the District of North Dakota,

BRENDAN TYLER MOORE,

knowing he had been convicted of the following crimes punishable by imprisonment for a term exceeding one year, specifically:

- On or about March 17, 2015, in the Northwest Judicial District, Williams County, North Dakota, BRENDAN TYLER MOORE was convicted of Possession of a Controlled Substance Schedule II, a Class C felony, in Case 51-2014-CR-02009;
- On or about March 17, 2015, in the Northwest Judicial District, Williams County, North Dakota, BRENDAN TYLER MOORE was convicted of Possession of a Controlled Substance Schedule II, a Class C felony, in Case 51-2014-CR-00687; and
- On or about March 17, 2015, in the Northwest Judicial District, Williams County, North Dakota, BRENDAN TYLER MOORE was convicted of Possession of Methamphetamine with Intent to Deliver, a Class A felony; Possession of a Controlled Substance, a Class C felony; and Possession of Drug Paraphernalia, a Class C felony, in Case 51-2015-CR-00184,

did knowingly possess in and affecting interstate or foreign commerce a firearm, that is:

- One Kahr Arms, Model CW40, .40 caliber pistol, bearing Serial Number FE6862;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT EIGHT

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about January 12, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,
and BRENDAN TYLER MOORE,

individually, and by aiding and abetting, knowingly and intentionally possessed with intent
to distribute 500 grams or more of a mixture and substance containing a detectable amount
of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and
Title 18, United States Code, Section 2.

COUNT NINE

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

The Grand Jury Further Charges:

On or about January 12, 2022, in the District of North Dakota,

BRENDAN TYLER MOORE

did knowingly possess a firearm, specifically:

- One Remington, Model Sportsman 58, 12-gauge weapon made from a shotgun, bearing Serial Number 225969M,

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance, as set forth in Count One of this Third Superseding Indictment; and Possession with Intent to Distribute a Controlled Substance, as set forth in Count Eight of this Third Superseding Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT TEN

Possession of a Firearm by a Convicted Felon

The Grand Jury Further Charges:

On or about January 12, 2022, in the District of North Dakota,

BRENDAN TYLER MOORE,

knowing he had been convicted of the following crimes punishable by imprisonment for a term exceeding one year, specifically:

- On or about March 17, 2015, in the Northwest Judicial District, Williams County, North Dakota, BRENDAN TYLER MOORE was convicted of Possession of a Controlled Substance Schedule II, a Class C felony, in Case 51-2014-CR-02009;
- On or about March 17, 2015, in the Northwest Judicial District, Williams County, North Dakota, BRENDAN TYLER MOORE was convicted of Possession of a Controlled Substance Schedule II, a Class C felony, in Case 51-2014-CR-00687; and
- On or about March 17, 2015, in the Northwest Judicial District, Williams County, North Dakota, BRENDAN TYLER MOORE was convicted of Possession of Methamphetamine with Intent to Deliver, a Class A felony; Possession of a Controlled Substance, a Class C felony; and Possession of Drug Paraphernalia, a Class C felony, in Case 51-2015-CR-00184,

did knowingly possess in and affecting interstate or foreign commerce a firearm, that is:

- One Remington, Model Sportsman 58, 12-gauge weapon made from a shotgun, bearing Serial Number 225969M;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT ELEVEN

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about February 24, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWELVE

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about February 24, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

individually, and by aiding and abetting, knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT THIRTEEN

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

The Grand Jury Further Charges:

On or before February 24, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

did knowingly possess a firearm, specifically:

- One Heritage Manufacturing, Inc., Model Rough Rider, .22 caliber revolver, bearing Serial Number P93129,

in furtherance of a drug trafficking crime for which she may be prosecuted in a court of the United States, Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance, as set forth in Count One of this Third Superseding Indictment, and Possession with Intent to Distribute a Controlled Substance, as set forth in Count Twelve of this Third Superseding Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FOURTEEN

Possession of a Firearm by a Convicted Felon

The Grand Jury Further Charges:

On or before February 24, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

knowing she had been convicted of the following crimes punishable by imprisonment for a term exceeding one year, specifically:

- On or about January 14, 2013, in United States District Court, District of North Dakota, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, was convicted of Conspiracy to Unlawfully Provide Firearms to a Convicted Felon, a Class C felony, in Case 3:12-cr-31-08; and
- On or about December 19, 2017, in the East Central Judicial District, Cass County, North Dakota, JESSICA MARIE TROTTIER was convicted of Possession of Methamphetamine with Intent to Deliver, a Class B felony, and Tampering with Physical Evidence, a Class C felony, in Case 09-2017-CR-00351,

did knowingly possess in and affecting interstate or foreign commerce a firearm, that is:

- One Heritage Manufacturing, Inc., Model Rough Rider, .22 caliber revolver, bearing Serial Number P93129;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FIFTEEN

Distribution of a Controlled Substance

The Grand Jury Further Charges:

On or about March 19, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SIXTEEN

Possession with Intent to Distribute Controlled Substances

The Grand Jury Further Charges:

On or about June 13, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,
and MICHAEL WAYNE GOURNEAU,

individually, and by aiding and abetting, knowingly and intentionally possessed with intent
to distribute a mixture and substance containing a detectable amount of methamphetamine, a
Schedule II controlled substance, and a mixture and substance containing a detectable
amount of fentanyl, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and
Title 18, United States Code, Section 2.

COUNT SEVENTEEN

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

The Grand Jury Further Charges:

On or about July 7, 2022, in the District of North Dakota,

DAVID JOSEPH KNUTH

did knowingly possess a firearm, specifically:

- One Ruger, Model EC9s, 9mm pistol, with an obliterated serial number,

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances, as set forth in Count One of this Third Superseding Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT EIGHTEEN

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about July 7, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

individually, and by aiding and abetting, knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT NINETEEN

Solicitation to Commit a Crime of Violence

The Grand Jury Further Charges:

From on or before August 5, 2022, through August 9, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, with the intent that CARLOS ADRIAN BATISTA-RODRIGUEZ; ARTURO GUZMAN; unindicted co-conspirator J.S., and unindicted co-conspirator D.R., engage in conduct constituting a felony that has as an element the use, attempted use, and threatened use of physical force against the person and property of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, and endeavor to persuade CARLOS ADRIAN BATISTA-RODRIGUEZ; ARTURO GUZMAN; unindicted co-conspirator J.S., and unindicted co-conspirator D.R., to engage in such conduct, that is, to murder DANA MICHAEL THOMAS in furtherance of a drug trafficking conspiracy, in violation of Title 21, United States Code, Section 848(e)(1)(A);

In violation of Title 18, United States Code, Section 373.

COUNT TWENTY

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about August 6, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,
and JEREMY WILLIAM HOOVER,

individually, and by aiding and abetting, did knowingly and intentionally possess with intent
to distribute 50 grams or more of a mixture and substance containing a detectable amount of
methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and
Title 18, United States Code, Section 2.

COUNT TWENTY-ONE

Trafficking in Firearms - Conspiracy

The Grand Jury Further Charges:

On or before August 8, 2022, and continuing through the date of this Third
Superseding Indictment, in the District of North Dakota, and elsewhere,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and
BRETT TIMOTHY HOIBY

did ship, transport, cause to be transported, receive, and otherwise dispose of firearms, that
is:

- One Springfield Armory, Model XD-9, 9mm caliber pistol, bearing Serial Number XD163226;
- One Ruger, Model PC Carbine, 9mm rifle, bearing Serial Number 910-66433;
- One Winchester, Model 100, .308 caliber rifle, bearing Serial Number 35359;
- One Winchester, Model 1300, 12-gauge shotgun, bearing Serial Number L2952690;
- One Ruger, Model MK III, .22 caliber pistol, bearing Serial Number 274-96534;
- One Winchester, Model 37, .410 caliber shotgun with no serial number;
- One Ruger, Model Mini 14, .223 caliber rifle, bearing Serial Number 18668339;
- One B King's Firearms, Model M4 MOD-0, .556 caliber rifle, bearing Serial Number MOD-0-01810;
- One New England Firearms, Model Pardner, .410 caliber weapon made from a shotgun, bearing Serial Number NN393398; and
- One Stoeger, Model 2000, 12-gauge weapon made from a shotgun, bearing Serial Number 923808,

to another person, in and affecting interstate commerce, knowing and having reasonable cause to believe the use, carrying, possession, and receipt would constitute any federal or state felony, and did attempt and conspire to do so;

In violation of Title 18, United States Code, Sections 933(a)(1), 933(a)(2), 933(a)(3), and 2.

COUNT TWENTY-TWO

**Knowing Transfer of Firearms for Use in a Crime of Violence
or Drug Trafficking Crime – Conspiracy**

The Grand Jury Further Charges:

On or before August 8, 2022, and continuing through the date of this Third Superseding Indictment, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, and
BRETT TIMOTHY HOIBY

did knowingly receive and transfer firearms, that is:

- One Springfield Armory, Model XD-9, 9mm caliber pistol, bearing Serial Number XD163226;
- One Ruger, Model PC Carbine, 9mm rifle, bearing Serial Number 910-66433;
- One Winchester, Model 100, .308 caliber rifle, bearing Serial Number 35359;
- One Winchester, Model 1300, 12-gauge shotgun, bearing Serial Number L2952690;
- One Ruger, Model MK III, .22 caliber pistol, bearing Serial Number 274-96534;
- One Winchester, Model 37, .410 caliber shotgun with no serial number;
- One Ruger, Model Mini 14, .223 caliber rifle, bearing Serial Number 18668339;
- One B King's Firearms, Model M4 MOD-0, .556 caliber rifle, bearing Serial Number MOD-0-01810;
- One New England Firearms, Model Pardner, .410 caliber weapon made from a shotgun, bearing Serial Number NN393398; and
- One Stoeger, Model 2000, 12-gauge weapon made from a shotgun, bearing Serial Number 923808;

knowing and having reasonable cause to believe such firearms would be used to commit a felony as defined in Title 18, United States Code, Section 932(a), a federal crime of terrorism, or a drug trafficking crime, and did attempt and conspire to do so;

In violation of Title 18, United States Code, Sections 924(h) and 2.

COUNT TWENTY-THREE

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about August 21, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,
and CESAR AMBROSIO LOPEZ,

individually, and by aiding and abetting, did knowingly and intentionally possess with intent
to distribute 500 grams or more of a mixture and substance containing a detectable amount
of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and
Title 18, United States Code, Section 2.

COUNT TWENTY-FOUR

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

The Grand Jury Further Charges:

On or about August 21, 2022, in the District of North Dakota,

CESAR AMBROSIO LOPEZ

did knowingly possess a firearm, specifically:

- One Glock, model 45, 9mm pistol, bearing Serial Number BTUE028,

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances, as set forth in Count One of this Third Superseding Indictment, and Possession with Intent to Distribute a Controlled Substance, as set forth in Count Twenty-Three of this Third Superseding Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT TWENTY-FIVE

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about September 1, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

individually, and by aiding and abetting, did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A),
and Title 18, United States Code, Section 2.

COUNT TWENTY-SIX

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about September 1, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

individually, and by aiding and abetting, did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A),
and Title 18, United States Code, Section 2.

COUNT TWENTY-SEVEN

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about September 1, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

individually, and by aiding and abetting, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-EIGHT

Possession with Intent to Distribute a Controlled Substance

The Grand Jury Further Charges:

On or about September 1, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

individually, and by aiding and abetting, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of marijuana, a

Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and

Title 18, United States Code, Section 2.

COUNT TWENTY-NINE

Possession of Firearms by a Convicted Felon

The Grand Jury Further Charges:

On or before September 21, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

knowing she had been convicted of the following crime punishable by imprisonment for a term exceeding one year, specifically:

- On or about January 14, 2013, in United States District Court, District of North Dakota, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, was convicted of Conspiracy to Unlawfully Provide Firearms to a Convicted Felon, a Class C felony, in Case 3:12-cr-31-08; and
- On or about December 19, 2017, in the East Central Judicial District, Cass County, North Dakota, JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, was convicted of Possession of Methamphetamine with Intent to Deliver, a Class B felony, and Tampering with Physical Evidence, a Class C felony, in Case 09-2017-CR-00351,

did knowingly possess in and affecting interstate or foreign commerce, firearms, that is:

- One Ruger, Model Mini 14, .223 caliber rifle, bearing Serial Number 18668339;
- One B King's Firearms, Model M4 MOD-0, .556 caliber rifle, bearing Serial Number MOD-0-01810;
- One New England Firearms, Model Pardner, .410 caliber weapon made from a shotgun, bearing Serial Number NN393398; and
- One Stoeger, Model 2000, 12-gauge weapon made from a shotgun, bearing Serial Number 923808;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

COUNT THIRTY

Possession of Firearms in Furtherance of a Drug Trafficking Crime

The Grand Jury Further Charges:

On or about September 21, 2022, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS,

did knowingly possess firearms, specifically:

- One Ruger, Model Mini 14, .223 caliber rifle, bearing Serial Number 18668339;
- One B King's Firearms, Model M4 MOD-0, .556 caliber rifle, bearing Serial Number MOD-0-01810;
- One New England Firearms, Model Pardner, .410 caliber weapon made from a shotgun, bearing Serial Number NN393398; and
- One Stoeger, Model 2000, 12-gauge weapon made from a shotgun, bearing Serial Number 923808,

in furtherance of a drug trafficking crime for which she may be prosecuted in a court of the United States, Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances, as set forth in Count One of this Third Superseding Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THIRTY-ONE

Tampering with a Witness

The Grand Jury Further Charges:

On or before February 23, 2023, through the date of this Third Superseding Indictment, in the District of North Dakota,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, did knowingly and corruptly persuade and attempt to persuade a coconspirator with intent to influence, delay, and prevent the testimony of any person in an official proceeding, and with intent to hinder, delay, and prevent the communication to a law enforcement officer or judge of the United States of information related to the commission or possible commission of a federal offense, namely, the drug conspiracy alleged in Count One of this Third Superseding Indictment, by instructing a coconspirator to remain silent about the conspiracy;

In violation of Title 18, United States Code, Sections 1512(b)(1), 1512(b)(3), 1512(i), and 2.

COUNT THIRTY-TWO

Conspiracy to Tamper with a Witness

The Grand Jury Further Charges:

On or before February 21, 2023, through the date of this Third Superseding Indictment,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS, conspired with others, both known and unknown to the grand jury, to knowingly intimidate, threaten, and corruptly persuade others, and to engage in misleading conduct toward another person, with intent to influence, delay, and prevent the testimony of any person in an official proceeding, and to hinder, delay, and prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a federal offense, namely, Count One of this Third Superseding Indictment, by conspiring with others to instruct a coconspirator to remain silent about the conspiracy;

In violation of Title 18, United States Code, Sections 1512(b)(1), 1512(b)(3), 1512(i) and 1512(k), and 2.

FORFEITURE NOTICE

Upon the conviction of any of the offenses alleged in the Third Superseding Indictment,

JESSICA MARIE TROTTIER, a/k/a JESSICA MARIE LATTERGRASS;
DOMINICK JON ROSS;
BRENDAN TYLER MOORE;
CESAR AMBROSIO LOPEZ;
ARTURO GUZMAN;
MATTHEW ZENON WOOD;
STEVEN CLIFFORD FRANK ARIAS JR.;
MICHAEL WAYNE GOURNEAU;
DAVID JOSEPH KNUTH;
BRETT TIMOTHY HOIBY;
JEREMY WILLIAM HOOVER

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853; Title 18, United States Code, Sections 844(c)(1), 924(d)(1), 981(a)(1)(C), and 982(a)(1); Title 26, United States Code, Section 5872; and Title 28, United States Code, Section 2461(c), all right, title, and interest in any of the property constituting or derived from proceeds obtained directly or indirectly as a result of the violations of Title 21, United States Code, Sections 841, 846, and 848; Title 18, United States Code, Sections 844(h), 922(g), 924(c)(1)(A), and 924(h), 933(a)(1), 933(a)(2), and 933(a)(3); and Title 26, United States Code, Sections 5861(h) and (i), and any property used or intended to be used in any manner or part to commit, or to facilitate the commission of the said violations, and a sum of money equal to the total amount of proceeds obtained as a result of the offenses, including, but not limited to:

- \$16,107 in United States currency seized on or about December 12, 2021, in Fargo, North Dakota;

- One Kahr Arms, Model CW40, .40 caliber pistol, bearing Serial Number FE6862, seized on or about December 12, 2021, in Fargo, North Dakota;
- \$9,263 in United States currency seized on or about January 12, 2022, in Fargo, North Dakota;
- One Remington, Model Sportsman 58, 12-gauge weapon made from a shotgun, bearing Serial Number 225969M, seized on or about January 12, 2022, in Fargo, North Dakota;
- \$11,627 in United States currency seized on or about February 24, 2022, in Fargo, North Dakota;
- One Heritage Manufacturing, Inc., Model Rough Rider, .22 caliber pistol, bearing Serial Number P93129, seized on or about February 24, 2022, in Fargo, North Dakota;
- One Ruger, Model LC9s, 9mm caliber pistol, bearing Serial Number 45283174, seized on or about June 13, 2022, in Fargo, North Dakota;
- One Ruger, Model EC9s, 9mm pistol, with an obliterated serial number, seized on or about July 7, 2022, in or near Jamestown, North Dakota;
- One Ruger, Model 22/45 Mark IV Lite, .22 caliber pistol, with an obliterated serial number, seized on or about July 23, 2022, in or near Belcourt, North Dakota;
- One Taurus, Model PT111, 9mm pistol, bearing Serial number TVH43701, seized on or about July 23, 2022, in or near Belcourt, North Dakota;
- One Ruger, Model LCP, .380 caliber pistol with an obliterated serial number, seized on or about July 23, 2022, in or near Belcourt, North Dakota;
- Two black silencers, with no known serial numbers, seized on or about July 23, 2022, in or near Belcourt, North Dakota;
- \$1,500 in United States currency seized on or about August 6, 2022, near Devils Lake, North Dakota;
- One Glock, Model 45, 9mm pistol, bearing Serial Number BTUE028, seized on or about August 21, 2022, in or near Bismarck, North Dakota;

- One Heritage Arms, model Rough Rider, .22 caliber revolver, bearing Serial Number 1BH465826, seized on or about September 4, 2022, in or near Idaho Falls, Idaho;
- One Savage, Model Rascal, .22 caliber rifle, bearing Serial Number 2057746, seized on or about September 4, 2022, in or near Idaho Falls, Idaho;
- One Mossberg & Sons, Model 173, .410 shotgun, with no serial number, seized on or about September 4, 2022, in or near Idaho Falls, Idaho;
- One Kessler, Model 30C, 12-gauge shotgun, with an unknown serial number, seized on or about September 4, 2022, in or near Idaho Falls, Idaho;
- One Savage, Model 67C, 20-gauge weapon made from a shotgun, bearing Serial Number B291298, seized on or about September 21, 2022, in or near Belcourt, North Dakota;
- One Benelli, Model Nova, 12-gauge weapon made from a shotgun, bearing Serial Number Z003381, seized on or about September 21, 2022, in or near Belcourt, North Dakota;
- One Ruger, Model Ec9s, 9mm caliber pistol, bearing Serial Number 458-89252, seized on or about September 21, 2022, in or near Belcourt, North Dakota;
- One Springfield Armory, Model XD-9, 9mm caliber pistol, bearing Serial Number XD163226, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One Ruger, Model PC Carbine, 9mm rifle, bearing Serial Number 910-66433, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One Winchester, Model 100, .308 caliber rifle, bearing Serial Number 35359, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One Winchester, Model 1300, 12-gauge shotgun, bearing Serial Number L2952690, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One Ruger, Model MK III, .22 caliber pistol, bearing Serial Number 274-96534, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One Winchester, Model 37, .410 caliber shotgun with no serial number, seized on or about September 21, 2022, in or near Bismarck, North Dakota;

- One Ruger, Model Mini 14, .223 caliber rifle, bearing Serial Number 18668339, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One B King's Firearms, Model M4 MOD-0, .556 caliber rifle, bearing Serial Number MOD-0-01810, seized on or about September 21, 2022, in or near Bismarck, North Dakota;
- One New England Firearms, Model Pardner, .410 caliber weapon made from a shotgun, bearing Serial Number NN393398, seized on or about September 21, 2022, in or near Bismarck, North Dakota; and
- One Stoeger, Model 2000, 12-gauge weapon made from a shotgun, bearing Serial Number 923808, seized on or about September 21, 2022, in or near Bismarck, North Dakota.

If any of the forfeitable property as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property under Title 21, United States Code, Section 853(p), to seek forfeiture of any property of said defendants up to the value of the forfeitable property;

All in accordance with Title 21, United States Code, Section 853; Title 18, United States Code, Sections 844(c)(1), 924(d)(1), 981(a)(1)(C), and 982(a)(1); Title 26, United States Code, Section 5872; and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

/s/ Foreperson
Foreperson

/s/ Mac Schneider
MAC SCHNEIDER
United States Attorney

AJS/alk